

REMARKS

Applicant has studied the Office Action dated April 30, 2008. Claims 1-21 are pending. Claims 1-19 have been amended and claims 20 and 21 have been newly added. Claims 1, 13, and 18 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Amendments to Specification

Amendments have been made to the specification at page 1 in order to claim priority to the foreign application. The Examiner acknowledged the Applicant's claim for foreign priority under 35 U.S.C. § 119(b) and receipt of the certified copy of the priority document. Accordingly, no new matter has been added.

Amendments to the Claims

Claims 1-19 have been amended to more clearly disclose the invention. It is respectfully submitted that the amendments have support in the application as originally filed.

§ 102 Rejections

Claims 1-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Iggulden (U.S. Patent No. 7,269,330). Applicant respectfully disagrees with the Examiner's interpretation of Iggulden and respectfully traverses the rejection.

It is respectfully noted that a proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991).

It is noted that Iggulden discloses a method, in a video recorder and playback unit, to identify selected broadcast segments, such as commercial advertisements, of a television signal in real-time for suspending recording or advancing playback of the television signal during each unwanted segment (abstract). Iggulden also discloses a system that automatically operates in real-time for muting the television signal during the selected segments, for controlling a video recorder to skip selected segments (col. 1, lines 32-35). Iggulden further discloses that the identification of selected segments is provided for use in controlling the video recording and playback device to skip the selected segments during playback of a previously recorded broadcast, wherein the selected segments refers to any selected portion of a broadcast signal including, for example, unwanted broadcast segments such as commercial advertisement segments (col. 5, lines 3-10). Furthermore, Iggulden discloses systems which operate to mute a television signal, suspend recording during commercial advertisements, or skip commercial advertisements during playback (col. 26, lines 44-47).

With regard to the rejection of independent claim 1, it is respectfully noted that the Examiner asserts, at page 2 of the Office action, that Fig. 3 of Iggulden represents the method in a video playback unit to identify selected broadcast segments as disclosed at col. 10, lines 20-30. It is further respectfully noted that the Examiner asserts that Iggulden discloses determining a normal replay section and a fast forward replay section with considering shot index information and a current replay location, citing col. 5, lines 1-7.

Applicant's review of Fig. 3 in Iggulden reveals two program segments and two consecutive detected commercial advertisement segments located between the program segments. According to col. 10, lines 31-35 in Iggulden, it is noted that luminance and audio components of a television signal are muted during the two consecutive detected commercial advertisement sections between a pair of un-muted program segments. "Muting" means that the amplitudes of the audio and luminance components of the output signal are reduced such that the viewer of monitor sees a dimmed image and hears reduced audio levels, as disclosed at col. 10, lines 20-23 in Iggulden.

Therefore, it is respectfully submitted that the asserted program and detected commercial advertisement segments disclosed in Iggulden are distinguished from the normal replay section and fast forward replay section recited in independent claim 1. In particular, it is respectfully submitted that the “muted” sections or the detected commercial advertisement sections disclosed in Iggulden are not the same as the fast forward section recited in independent claim 1.

It is respectfully noted that the Examiner asserts that the cited portion, col. 5, lines 1-7, of Iggulden discloses “after selected segments information identified by playback device, it plays or skips these selected segments based on the information provided for them.” It is further respectfully noted that the Examiner asserts that as to the asserted disclosure, replaying the video contents from the current replay location at corresponding speeds according to the determined sections, Iggulden discloses, at col. 5, lines 14-18, that once the signature pattern for selected segments matches with the stored signature patterns, it immediately identifies it and based on this information it either skips or plays the video.

It is further noted that Iggulden discloses that commercial advertisements appear in groups of two or more in many television broadcast systems and “the method of the invention may operate to not only skip the detected commercial advertisements of a commercial advertisement group but rather to skip the entire group to thereby avoid playing other unwanted broadcast segments appearing within the group.” (col. 5, line 65 - col. 6, line 4). As asserted and admitted by the Examiner, Iggulden merely discloses that some segments are played while other segments are “skipped” to “avoid playing.” It is further respectfully submitted that the skipping and fast forwarding are not the same. Therefore, contrary to the Examiner’s assertion, it is respectfully submitted that Iggulden fails to disclose or suggest determining a normal replay section and a fast forward replay section based on shot index information and a current replay location, as recited in independent claim 1.

Furthermore, it is respectfully submitted that since the detected commercial advertisement sections disclosed in Iggulden are skipped and not played at all, there would be no speed corresponding to the detected commercial advertisement sections. Therefore, it is respectfully submitted Iggulden fails to disclose or suggest replaying the

video contents from the current replay location at speeds corresponding to the determined sections, as recited in independent claim 1.

With regard to the rejection of independent claim 13, it is respectfully noted that the Examiner asserts, at page 8 of the Office action, that Iggulden discloses determining a normal replay section with considering shot index information and a current replay location of video contents and fast-forwarding the video contents at a high speed from the current replay location to a start location of the normal replay section, citing col. 5, lines 1-7 and 14-18. It is further respectfully noted that the Examiner asserts, at pages 8-9 of the Office action, that Iggulden discloses replaying the video contents at a normal speed as fast as the speed of the normal replay section, citing col. 10, lines 35-40.

Similar to the above discussion with regard to the rejection of independent claim 1, it is respectfully submitted that Iggulden discloses only playing or skipping the selected segments, as admitted by the Examiner, but not fast forwarding. It is further respectfully submitted that the “fast-forwarding” recited in independent claim 13 is clearly distinguishable from the skipping disclosed in Iggulden. Therefore, it is respectfully submitted that Iggulden fails to disclose or suggest fast-forwarding the video contents at a high speed from the current replay location to a start location of the normal replay section, as recited in independent claim 13.

With regard to the rejection of independent claim 18, it is respectfully noted that the Examiner asserts, at page 11 of the Office action, that Iggulden discloses a controller for determining a normal replay section and a fast forward replay section by using the shot index information, and controlling to replay the video contents according to the determined sections, citing col. 9, lines 43-54. It is further respectfully noted that the Examiner asserts that Iggulden discloses an output unit for outputting the replayed video contents, citing col. 9, lines 55-59.

Applicant’s review of the cited portions of Iggulden reveals that “the control unit identifies the broadcast segment from which the signature was taken as being a commercial advertisement segment and forwards a mute control signal to a video/audio mute unit 130” and “[i]n response to the mute control signal, the mute unit mutes the audio and luminance components of the television signal during the commercial advertisement segment and forwards the muted signal to monitor 104. The mute control

signal is maintained during the entire commercial advertisement segment.”

Further, similar to the above discussion with regard to the rejections of independent claims 1 and 13, it is respectfully submitted that Iggulden discloses only playing or skipping the selected segments, as admitted by the Examiner, but not fast forwarding. It is further respectfully submitted that the “fast forward replay section” recited in independent claim 18 is clearly distinguishable from the “commercial advertisement segments” disclosed in Iggulden which are muted or skipped. Therefore, it is respectfully submitted that Iggulden fails to disclose or suggest, at least, a controller for determining a normal replay section and a fast forward replay section based on the shot index information, and replaying the video contents according to the determined sections and an output unit for outputting the replayed video contents at speeds corresponding to the determined sections, as recited in independent claim 18.

In view of the above discussion, it is respectfully asserted that independent claims 1, 13, and 18 are allowable over the cited reference. It is further respectfully asserted that claims 2-12, which depend from claim 1, claims 14-17, which depend from claim 13, and claim 19, which depends from claim 18, also are allowable over the cited reference. Accordingly, it is respectfully requested that the rejection be withdrawn.

New Claims

With this paper, new claims 20-21 have been added. It is respectfully submitted that the new claims have support in the application as originally filed. It is respectfully asserted that claims 20 and 21, which depend from allowable independent claims 1 and 18, respectively, are allowable, at least, by virtue of their dependency from their respective allowable base claims.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-21 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: July 30, 2008

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